**§1029. Review of bail under section 1027**

**1. Petition for review.**  Any defendant in custody following a Harnish bail proceeding under section 1027 may petition a single Justice of the Supreme Judicial Court for review under this section and the additional procedures set forth in the Maine Rules of Unified Criminal Procedure, Rule 46(e)(1).

A. [PL 2015, c. 431, §14 (RP).]

B. [PL 2015, c. 431, §14 (RP).]

[PL 2015, c. 431, §14 (RPR).]

**2. Standard of review.**  With respect to the finding of probable cause to believe that the defendant committed a formerly capital offense, the finding of the lower court shall be upheld, unless it is clearly erroneous provided there is an adequate record for purposes of review. With respect to all other issues or with respect to the issue of probable cause when the record is inadequate for review, the review shall be de novo. The parties shall cooperate to expeditiously assemble a record for review.

[PL 1989, c. 147, §3 (AMD).]

**3. Evidence.**  The evidence consists of the information of record submitted in the Harnish bail proceeding under section 1027 and any additional information the parties may choose to present.

[RR 2009, c. 2, §31 (COR).]

**4. No further relief.**  The review under this section is final and no further relief is available.

[PL 1999, c. 731, Pt. ZZZ, §11 (NEW); PL 1999, c. 731, Pt. ZZZ, §42 (AFF).]

SECTION HISTORY

PL 1987, c. 758, §20 (NEW). PL 1989, c. 147, §3 (AMD). PL 1999, c. 731, §ZZZ11 (AMD). PL 1999, c. 731, §ZZZ42 (AFF). RR 2009, c. 2, §31 (COR). PL 2015, c. 431, §14 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through October 15, 2024
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.